

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Police Department - Disciplinary proceedings against **Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired)** – Charges held Proved – Imposition of penalty of **withholding of 5% pension for a period of five years** under Rule 9 of A.P. Revised Pension Rules, 1980 - Orders – Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Ms.No. 82

Dated: 09/04/2010
Read the following:-

1. From the Director General of Police, A.P., Hyderabad, Letter Rc.No. 737/O1/04, dated 26.4.2005.
2. G.O.Rt.No.793, Home (Services-I) Department, dated 8.6.2005.
3. G.O.Rt.No.794, Home (Services-I) Department, dated 8.6.2005.
4. From Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired), written statement of defense dated 1.9.2005.
5. From the Director General of Police, A.P., Hyderabad, Letter Rc.No. 737/O1/04, dated 15.10.2008.
6. Govt. Memo No.12841/Ser.I/A2/2005-9, dated 24.8.2009.
7. From Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired), Explanation dated 22.10.2009.
8. Govt. Letter No.12841/Ser.I/A2/2005-13, dated 12.1.2010.
9. From the Secretary, Andhra Pradesh Public Service Commission, Hyderabad Letter No.293/RT-I/3/10, dated 26.3.2010.

O-O-O

ORDER:

The Director General of Police, A.P., Hyderabad, in his letter 1st read above, has requested the Government to initiate common disciplinary action against the following (3) delinquent officers of 12th Bn. APSP, Nalgonda, for the alleged irregularities in the appointment of (8) candidates as Last Grade Service employees, in violation of provisions contained in G.O.Ms.No.320, Home (Pol.C) Department, dated 21.05.1981:-

- (i) Sri S.Emmanuel, formerly Commandant, 12th Bn., (now retired)
- (ii) Sri V.Bikshapathi, formerly Superintendent, 12th Bn., (now retired as A.O)
- (iii) Sri A.Venkateswar, the then Jr.Asst., 12th Bn.

2. After careful examination of the entire matter with reference to the records made available, Government have decided to initiate common departmental proceedings against the above said three charged officers, under rule-24 of APCS (CC&A) Rules, 1991.

3. In the G.O. 2nd read above, sanction was accorded to initiate disciplinary proceedings against Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired) and in the G.O. 3rd read above an article of charges were issued to him, calling his written statement of defence. In the reference 4th read above, the charged officer submitted his written statement of defence, denying the charges framed against him.

4. Sri K.Rajaratnam Naidu, IPS, Deputy Inspector General of Police, Nizamabad Range, who was appointed as Inquiring Authority, has conducted inquiry into the charges framed against all the (3) Charged Officers including Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired) and held the charges as '**Proved**' against them.

5. Government accepted the findings of Inquiring Authority and provisionally decided to impose penalty of 'withholding of 5% pension for a period of five years on Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired) under Rule 9(2)(a) of A.P. Revised Pension Rules, 1980. In the reference 6th read above, while communicating a copy of inquiry report, a show cause notice duly specifying the proposed penalty of withholding of 5% pension for a period of five years, was issued to the said retired Charged Officer.

6. In the reference 7th read above, Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired) has submitted his explanation on the proposed punishment and requested to exonerate him from the charges for the reasons mentioned therein.

7. Government after careful examination of the explanation of the charged officer with reference to the records made available, have decided to confirm the provisional decision of

imposing penalty of withholding of 5% pension for a period of five years against Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired), as his explanation has no merits worth consideration, and sought the advice of Andhra Pradesh Public Service Commission thereon, vide reference 8th read above.

8. The Secretary, Andhra Pradesh Public Service Commission, in his letter 9th read above, has conveyed the concurrence of the Commission on the proposal of the Government.

9. Government after careful examination of the entire matter hereby impose the penalty of **withholding of 5% pension for a period of five years** on Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired), under Rule-9 (1) of A.P. Revised Pension Rules, 1980, read with rule 20 of APCS (CC&A) Rules, 1991.

10. A copy of the letter 9th read above received from the Secretary, Andhra Pradesh Public Service Commission, is herewith furnished to Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired), as required under Rule-44 of APCS (CC&A) Rules, 1991.

11. The Director General of Police, A.P., Hyderabad, is requested to take follow up action on implementation of the said penalty.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General of Police, A.P., Hyderabad

Sri S.Emmanuel, formerly Commandant, 12th Bn., APSP (now retired)

through Director General of Police, A.P., Hyderabad (w.e).

Copy to:

The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Accountant General of Andhra Pradesh, Hyderabad.

The Director of Treasuries & Accounts, A.P. Hyderabad.

SF/SC

// Forwarded :: by order //

SECTION OFFICER